

# Exhibit B

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March 23, 2022

**VIA E-MAIL**

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**Re: *Linda Tirado v. City of Minneapolis et al.*, 20-cv-1338 (JRT/JFD)**  
**Subpoenas to Appear for a Deposition and Produce Documents**

Dear Counsel:

This firm represents Star Tribune Media Company LLC and its reporter, Andrew Mannix, and the Minnesota Reformer and its reporter, Maxwell Nesterak (collectively, the "News Outlets"). These News Outlets have referred to us the subpoenas received from you commanding Msrs. Mannix and Nesterak to appear for depositions and produce several categories of documents (the "Subpoenas"). We understand you are not seeking "any items or documents for which [the News Outlets] have a good faith basis to assert is protected by a legally recognized journalistic privilege" and consider such information to be non-responsive.

Much of what the Subpoenas seek is publicly available, including but not limited to the materials listed at the links below. Like any member of the public, you are free to access these materials at any time.

- <https://twitter.com/AndrewMannix/status/1265447846079315973>
- <https://twitter.com/andrewmannix/status/1265446575167483904>
- <https://twitter.com/AndrewMannix/status/1266968276481052672>
- [https://twitter.com/AndrewMannix/status/1265500996039512064?ref\\_src=twsrc%5Etfw](https://twitter.com/AndrewMannix/status/1265500996039512064?ref_src=twsrc%5Etfw)

- <https://twitter.com/AndrewMannix/status/1265497526150594562>
- <https://twitter.com/andrewmannix/status/1265756101057957890>
- <https://www.startribune.com/minneapolis-police-protesters-clash-almost-24-hours-after-george-floyd-s-death-in-custody/570763352/>
- <https://www.startribune.com/rubber-bullets-chemical-irritant-water-bottles-in-air-as-thousands-march-to-protest-george-floyd-s-d/570786992/>
- <https://www.startribune.com/as-mayor-frey-calls-for-officer-s-arrest-violence-intensifies-in-minneapolis/570804062/>
- <https://www.startribune.com/minneapolis-council-member-ellison-police-in-the-city-failed-us-last-night/570803722/>
- <https://www.startribune.com/minneapolis-mayor-jacob-frey-calls-minneapolis-unrest-unacceptable-president-donald-trump-promises-a/570830002/>
- <https://www.startribune.com/minneapolis-police-station-set-on-fire-protesters-march-downtown/570849592/>
- <https://www.startribune.com/swift-show-of-force-in-mpls-pushes-out-curfew-violators/570897132/>
- <https://www.startribune.com/police-arrest-150-driver-who-barreled-into-crowd-held/570908442/>
- <https://twitter.com/maxnesterak/status/1265863514754813952>
- <https://twitter.com/maxnesterak/status/1265863873825058816>
- <https://twitter.com/maxnesterak/status/1265808317189849093>
- <https://twitter.com/maxnesterak/status/1265817985702379521>
- <https://twitter.com/maxnesterak/status/1265841977435648001>
- <https://twitter.com/maxnesterak/status/1265861494719340545>
- <https://twitter.com/maxnesterak/status/1265862326432956422>
- <https://minnesotareformer.com/2020/05/27/protests-overnight-leave-minneapolis-shaken/>
- <https://minnesotareformer.com/briefs/minneapolis-mayor-calls-for-charges-against-officer-who-killed-george-floyd/>

- <https://minnesotareformer.com/2020/05/27/mayhem-in-minneapolis-protests-looting-fires/>
- <https://minnesotareformer.com/briefs/residents-express-empathy-grief-after-second-night-of-riots-in-twin-cities/>
- <https://minnesotareformer.com/2020/05/30/walz-activates-full-national-guard-against-riots-in-the-twin-cities/>
- <https://minnesotareformer.com/2020/05/30/minneapolis-reeling-after-fourth-night-of-chaos/>

Other, unpublished information is privileged and therefore not responsive to the Subpoenas. *See Keefe v. City of Minneapolis*, 2012 U.S. Dist. LEXIS 187017, at \*9 (D. Minn. May 25, 2012); *J.J.C. v. Fridell*, 165 F.R.D. 513, 515-16 (D. Minn. 1995). Relatedly, any testimony by Messrs. Mannix and Nesterak would similarly involve unpublished and privileged (and therefore non-responsive) information. As such, they do not plan to appear for the noticed depositions.

To the extent you disagree with the above, please advise promptly, in which case the News Outlets reserve the right to raise objections to the Subpoenas, including based on the First Amendment journalist's privilege. Otherwise, we consider this matter resolved.

Very truly yours,



Leita Walker

/LW

cc: John M. Baker, Esq.